

BILL NO. S-77-07-27

SPECIAL ORDINANCE NO. S- 159-77

AN ORDINANCE approving a contract between Gladieux Refinery, Inc., and the City of Fort Wayne, by and through its Department of Public Safety, for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated June 22, 1977, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety, and Gladieux Refinery, Inc., for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, described as follows, to-wit:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast $\frac{1}{4}$ of Section 8.

67-0008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast $\frac{1}{4}$ of Section 8.

67-9990-4012 South 86, 100 square Feet Northeast $\frac{1}{4}$ Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

67-0008-0012-I South 13.78 chains of East 4.52 chains West 14.52 chains of fractional Northeast $\frac{1}{4}$ Section 8. 60 acres.

67-0008-9975 East 410.2 of West 1454.4 feet Northeast $\frac{1}{4}$ between RR and 24 and 30. Section 8.

67-0008-0005 East 5 acres of mid part fractional Northeast $\frac{1}{4}$ South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$284,740 issued by the Adams Township Assessor's Office.

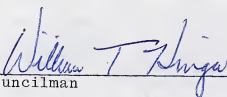
SECTION 2. The cost to Gladieux Refinery, Inc., shall be the sum of \$3,214.43, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated Sec. 48-6176.

SECTION 3. Said contract is on file in the Office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

APPROVED AS TO FORM
AND LEGALITY,

William T. Lingo
Councilman

1 SECTION 4. This Ordinance shall be in full force and
2 effect from and after its passage and approval by the Mayor.
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Councilman

Read the first time in full and on motion by Hinga, seconded by

Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 7-26-77

Charles W. Wistman
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~lost~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 8-5-77

Charles W. Wistman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 8-159-77 on the 9th day of August, 1977

ATTEST: (SEAL)

Charles W. Wistman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of August, 1977, at the hour of 1:00 o'clock P. M., E.S.T.

Charles W. Wistman
CITY CLERK

Approved and signed by me this 16th day of August, 1977, at the hour of 8:30 o'clock _____ M., E.S.T.

Robert Elamshong
MAYOR

Bill No. S-77-07-27

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
approving a contract between Gladieux Refinery, Inc., and the City of Fort
Wayne, by and through its Department of Public Safety, for fire protection

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

William T. Hinga

James S. Stier

Vivian G. Schmidt

Paul M. Burns

Fredrick Hunter

CONCURRED IN

DATE 8-9-77 CHARLES W. WESTERMAN, CITY CLERK

FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 22nd day of June, 1977, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and GLADIEUX REFINERY, INC., a corporation having a place of business in Adams Township, Allen County, Indiana.

WHEREAS, GLADIEUX REFINERY is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of GLADIEUX REFINERY, INC. located in an area:

67-0008-0007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast $\frac{1}{4}$ of Section 8.

67-0008-4007-I 4.195 acres of West 385 feet East of Fort Wayne Union RR between Wabash RR and U.S. 24 and 30 Northeast $\frac{1}{4}$ of Section 8.

67-9990-4012 South 86, 100 square feet Northeast $\frac{1}{4}$ Section 8 North of New Haven Avenue, South of Norfolk and Western RR lease ground Fort Union RR.

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67-0008-0005 East 5 acres of mid part fractional Northeast $\frac{1}{4}$ South of canal and north of RR and except Southeast 2.94 and vacated road adjacent North of the North Section 8.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$284,740 issued by the Adams Township Assessor's Office.

and, WHEREAS, GLADIEUX REFINERY desires to be assured that fire protection by CITY is available at the premises above-described:

NOW, THEREFORE, the parties agree as follows:

1. From June 22, 1977 until June 21, 1978, upon the receipt of CITY'S Fire Department of a notification or signal that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, GLADIEUX REFINERY shall pay to CITY the sum of One and One Thousand Two-Hundred Eighty Nine Thousandths Dollars (\$1.1289) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinabove identified as the premises. The improvement hereinabove identified having an assessed valuation of \$284,740, the sum owing under this contract is \$3,214.43. Said sum shall be payable upon execution of this contract.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GLADIEUX REFINERY buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GLADIEUX REFINERY operations on the premises and to enforce the City Fire Prevention Code so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

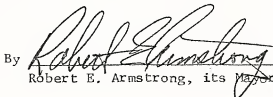
4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GLADIEUX REFINERY, INC.

BY 

CITY OF FORT WAYNE, INDIANA

By 
Robert E. Armstrong, its Mayor

BOARD OF COMMISSIONERS
DEPARTMENT OF PUBLIC SAFETY

By Albert N. Hepler
Albert N. Hepler, Chairman

By William L. Kerr
William L. Kerr, Member

By Solon Jennings
Solon Jennings, Member

ATTEST:

John C. Lewton
John C. Lewton, Executive Secretary

I hereby certify that the foregoing contract was ratified
and approved by the Common Council of the City of Fort Wayne, Indiana,
on August 18, 1977.

Charles W. Westerman
Charles W. Westerman, Clerk



THE CITY OF FORT WAYNE

department of public safety
Room 950, City-County Bldg.

June 6, 1977

Mr. James M. Gladieux
Gladieux Refinery, Inc.
4133 New Haven Avenue
Fort Wayne, Indiana 46803

Dear Jim:

I have enclosed two copies of the 1977 Fire Contract between Gladieux Refinery, Inc. and the City of Fort Wayne, and a sheet indicating how this years figure was determined.

Please sign both copies and return to me. I will then obtain remaining necessary signatures and approvals, and return a copy to you. The payment of \$3,214.43 will be due at that time.

Very truly yours,

Chuck Lewton
Executive Secretary

CL:bg

encl.

#604

DIGEST SHEET

S-77-07-27

TITLE OF ORDINANCE _____

DEPARTMENT REQUESTING ORDINANCE Office of Emergency Services

SYNOPSIS OF ORDINANCE A fire contract with Gladieux Refinery, Inc. for fire
protection on their buildings which is located outside of the
city limits.

EFFECT OF PASSAGE The city receives \$3,214.43 which will be used for the
purchase of fire equipment.

EFFECT OF NON-PASSAGE The city will lose \$3,214.43

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

7/11/77